

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



MARTELLUS JONES,

Plaintiff,

v.

22-CV-353 (JLS) (JJM)

WILLIAM ROBINSON and ANNIEL
VIDAL,

Defendants.

DECISION AND ORDER

Plaintiff Martellus Jones commenced this action on May 12, 2022, alleging claims under 42 U.S.C. § 1983 based on a warrantless search of Plaintiff following a traffic stop that occurred on December 17, 2016. *See* Dkt. 1. The case has been referred to United States Magistrate Judge Jeremiah J. McCarthy for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 12.

On March 29, 2024, Defendants moved for summary judgment. Dkt. 24. Plaintiff opposed the motion, Dkt. 31, and Defendants replied. Dkt. 33. Plaintiff also moved for partial summary judgment on March 29, 2024. Dkt. 26. Defendants opposed the motion, Dkt. 29, and Plaintiff replied. Dkt. 32. On March 31, 2025, Judge McCarthy issued a Report and Recommendation (“R&R”), recommending that this Court grant Defendants’ [24] motion, and deny Plaintiff’s [26] motion. *See* Dkt. 38.

Plaintiff objected to the R&R. Dkt. 39. He argues that “R&R errs in three fundamental ways: (1) it misapplies the statute of limitations to [Plaintiff]’s Fourth Amendment claim by failing to recognize the evolving jurisprudence established in

McDonough v. Smith; (2) it incorrectly concludes that [Plaintiff]’s claims are barred by his plea agreement despite clear Second Circuit precedent to the contrary; and (3) it erroneously determines that [Plaintiff]’s fair trial claim has not accrued.” *Id.* at 2.¹ Defendants opposed the objections, Dkt. 46, and Plaintiff replied. Dkt. 47.

A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A district court must conduct a *de novo* review of those portions of a magistrate judge’s recommendation to which a party objects. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). But neither 28 U.S.C. § 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

This Court carefully reviewed the R&R, the objections briefing, and the relevant record. Based on its *de novo* review, the Court accepts Judge McCarthy’s recommendation.

¹ Page numbers refer to the CM/ECF generated numbering in the header of each page.

For the reasons above and in the R&R, Defendants' [24] motion for summary judgment is GRANTED, and Plaintiff's [26] motion for partial summary judgment is DENIED. The Clerk of Court shall close this case.

SO ORDERED.

Dated: June 25, 2025
Buffalo, New York

A handwritten signature in blue ink, appearing to read "John L. Sinatra, Jr.", written over a horizontal line.

JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE